

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

UNITED STATES OF AMERICA

v.

GARRETT THOMAS PUGH,
Defendant.

Case No. 3:23-mj-00063

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Charles J. Moloney III, being duly sworn, hereby depose and state as follows:

I. INTRODUCTION

A. Purpose of Affidavit

1. I submit this affidavit to establish probable cause in support of a criminal complaint charging GARRETT THOMAS PUGH (“PUGH”) with one violation of 18 U.S.C. § 1470 (transfer of obscene material to minors) occurring on or about November 23, 2022, in the Western District of Virginia and elsewhere.

B. Agent Background and Experience

2. I am a Special Agent with the United States Homeland Security Investigations (HSI), where I have worked since May 2021. I am currently assigned to the Resident Agent in Charge (RAC) Harrisonburg, VA office. As a HSI Special Agent, my duties include investigating federal criminal offenses around the area surrounding HSI Harrisonburg, VA office. During my tenure I have completed approximately 480 hours of instruction in the Criminal Investigator Training Program (CITP) and approximately 480 hours of instruction in the Homeland Security Investigations Special Agent Training (HSISAT) at the Federal Law Enforcement Training Center

in Glynnco, Georgia (FLETC). During training I received Cyber Crimes Investigations Training, Child Exploitation Training, classroom instruction and practical exercises involving the 4th Amendment Search and Seizures. As a Special Agent, I participated in an undercover chat operation which resulted in the arrest of a Canadian national for soliciting a minor and for sending obscene material to a minor. As a Uniformed Officer with the United States Secret Service, I completed approximately 480 hours of instruction at the FLETC and approximately 480 hours of instruction at the Secret Services James J. Rowley Training Center.

3. Prior to my tenure as a Special Agent with HSI, I worked as an Intelligence Operations Specialist and a Communications Watch Officer for the Department of Homeland Security, National Operations Center from October 2015 through May 2021. In the capacity as an Intelligence Operations Specialist and Communications Watch Officer, I was responsible for analyzing large quantities of information and the creation of reports for senior leaders within the Department of Homeland Security. From October 2013 through October 2015, I worked as a Uniformed Law Enforcement Officer with the United States Secret Service and was responsible for enforcing federal and state laws while providing protection for the White House and its employees. From August 2006 through February 2018, I served in the Army Reserve and Army National Guard as Military Police and as an Army CID Special Agent. In 2008 I deployed to Camp Cropper Iraq in support of detainee operations. As an Army CID Special Agent, I supported protection missions for the Secretary of Defense and other Department of Defense senior leaders.

C. Sources of Information

4. The facts in this affidavit come from a variety of sources, including my personal knowledge of the facts and circumstances obtained through my participation in this investigation, my training and experience, information obtained from other law enforcement officers/agents and

witnesses, information gathered through law enforcement surveillance efforts, and information provided by records and databases, as well as other sources. All observations not personally made by me were relayed to me by individuals who made them or are based on my review of reports, documents, and other evidence obtained during the investigation. Where I refer to statements and events, I often refer to them in substance and in relevant part rather than in their entirety or verbatim, unless otherwise noted. This affidavit also reflects my current understanding of facts relating to this investigation, but my understanding may change in the future as the investigation proceeds. Similarly, where information contained in reports and other documents or records are referenced herein, such information is also described in sum and substance and in relevant part only. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

II. APPLICABLE LAW

5. Based on the facts set forth below, I assert there is probable cause to believe PUGH has violated 18 U.S.C. § 1470. Under 18 U.S.C. § 1470, it is unlawful to use the mail or any facility or means of interstate or foreign commerce knowingly to transfer obscene matter to another individual who has not attained the age of sixteen years, knowing that such other individual has not attained the age of sixteen years. The elements of the offense are as follows: (1) the defendant knowingly used the mail or any means or facility of interstate commerce to transfer obscene matter; and (2) the defendant knew that he was transferring the matter to an individual less than 16-years-old; and (3) the defendant knew at the time of the transfer the general nature of the contents of the matter; and (4) the matter is obscene.

III. PROBABLE CAUSE

6. In or around November 2022 through in or around December 2022, PUGH used the social media application Snapchat to entice Minor Victim 1 (“MV1”), an 11-year-old who resides in New York, to send PUGH nude and sexually explicit photos and videos of MV1 via Snapchat, to send obscene materials to MV1, and to engage in conversations with MV1 about kidnapping and rape.

7. In or around December 2022, MV1 along with MV1’s parents reported to police in New York State that MV1 was engaging in an online relationship with an older male via Snapchat from approximately November 2022 until the relationship was uncovered by another family member in December 2022. MV1 stated that she had been engaging in an online relationship via Snapchat with a person she knew as, “Jake.” MV1 stated the relationship began in or about November 2022, and she told “Jake” that she was 11 years old. “Jake” told her that he was 22 years old and lived in North Carolina. After this conversation took place, “Jake” sent MV1 an inappropriate picture and asked that she send an inappropriate picture back to him, which MV1 did. MV1 stated that between about November 2022 and December 2022 she and “Jake” would frequently exchange inappropriate pictures and videos.

8. MV1 stated that she exchanged messages with “Jake” about rape and kidnapping between about November 2022 and December 2022. According to MV1, “Jake” told MV1 that he knew where MV1 lived and asked MV1 to go to the park next to MV1’s house and he would kidnap MV1 there. “Jake” told MV1 that if MV1 consented to the relationship it was not rape and he couldn’t get in trouble. MV1 did not go to the park and had never met “Jake” in person. MV1 stated she blocked “Jake” on Snapchat, and he created a new username to communicate with her.

Snapchat usernames utilized by “Jake” are “LetsRP3000” and “ImissyouXXXXXX” (*REDACTED DUE TO MV1’s NAME BEING USED*).

A. Identification of PUGH

9. In February 2023, agents reviewed the phone utilized by MV1 and located images and a video received by MV1 from “Jake” showing a white male’s face. The subject pictured in the video appears to be Garrett PUGH, based on PUGH’s Virginia DMV photo and multiple social media photos.

10. In February 2023, agents witnessed the forensic interview of MV1 conducted by a Forensic Interview Specialist. MV1 was shown a photograph of a white male obtained from a review of MV1’s phone (previously identified by agents as PUGH). MV1 positively identified PUGH as “Jake.” MV1 stated the image came from MV1’s iPad and that MV1 then took a picture of it with MV1’s phone.

11. In December 2022, agents obtained subscriber information on the LetsRP3000 and ImissyouXXXXXX (*REDACTED*) accounts, which showed that both accounts utilized a common IP address. Subscriber information for that IP address identified a service address in Louisa, Virginia, within the Western District of Virginia. The service address is owned by individuals who appear to be relatives of PUGH, and open source and law enforcement databases indicated that, in addition to the owners of the premises, PUGH, another individual, and an infant child less than a year old who is the child of the other individual and PUGH reside there as well. Database queries also revealed that PUGH has a Virginia driver’s license listing the premises connected to the IP address as his registered address. Surveillance conducted at the premises showed a vehicle registered to PUGH parked at the premises.

12. On August 17, 2023, in an interview with agents during the execution of a federal search warrant of PUGH's residence, PUGH confirmed he used Snapchat accounts LetsRP3000 and ImissyouXXXXX (REDACTED). PUGH admitted to communicating with MV1 through messages and images, using Snapchat account LetsRP3000.

B. Messages, Images, and Videos Exchanged Between PUGH and MV1

13. During the February 2023 forensic interview of MV1, MV1 stated MV1 was talking to a guy online who asked MV1 to send pictures to him. MV1 called the guy "a pedophile," explaining that to MV1 a pedophile meant it was an older man who liked kids. MV1 stated MV1 knew the man MV1 was talking to as, "Jake Smith," who used a Snapchat account with username "LetsRP3000." MV1 told him that she was 11 years old. "Jake" told MV1 that he was 22 years old and that he lived in North Carolina and worked at CVS.¹

14. MV1 sent inappropriate pictures to "Jake." In most of the pictures, MV1 was not wearing clothes. In the pictures where MV1 was not wearing clothes, the pictures were of MV1's "chest," "butt," and "private part."

15. MV1 took the pictures because "Jake" would ask for them and he would give MV1 compliments when MV1 did. "Jake" would then get mad at MV1 if MV1 didn't send them.

16. "Jake" would send videos of his private areas, showing him masturbating. "Jake" would save the videos MV1 sent in their chats. MV1 explained that this meant the pictures would get saved and he could look at them again.

17. In addition to pictures, MV1 sent "Jake" "videos of my butt." "Jake" asked MV1 to send videos and asked MV1 to send a video of MV1 playing with her private part.

¹ Based on my training and experience, I know that people involved with child exploitation make false representations regarding personal details such as name, age, location, and employment.

18. MV1 stated “Jake” told MV1 he would travel to New York to meet MV1 at a park near MV1’s house. He stated MV1 could pack all MV1’s bags and meet him at the park. MV1 stated that as far as MV1 knew, he never traveled to New York.

C. PUGH’s Conduct Is Corroborated by Snapchat Records.

19. In April 2023, a search warrant was issued in the Northern District of New York for the “LetsRP3000” and “ImissyouXXXXX (REDACTED)” Snapchat accounts used by PUGH and for MV1’s Snapchat account.

20. Records associated with the account used by MV1 contained conversations from in or about November 2022 to in or about December 2022 between MV1 and PUGH. PUGH sent the first message which read, “Hi I’m jake.” MV1 and PUGH go on to exchange messages, pictures, sounds recordings, and/or videos frequently until in or around the end of December 2022.

21. A review of the chats between PUGH and MV1 confirmed MV1’s statements to law enforcement. The first chats show MV1 and PUGH exchanged messages where MV1 said MV1 was from New York and MV1 was 11 years old. PUGH said he was from North Carolina and, “Twice your age.” A few minutes after finding out MV1 was 11 years old, PUGH asked MV1 what MV1 looked like. MV1 responded, “A child.” MV1 then sent pictures of MV1’s face.

22. Many of the messages between PUGH and MV1 involve PUGH asking MV1 to take nude and/or sexually explicit photos or videos of herself to send to him.

For example:

PUGH: Show me your pussy

[MV1]: [Sends two Snap pictures, the content of which is not contained in the Snapchat search warrant return]

PUGH: Good girl. Do you like taking dirty pics?

[MV1]: Yeah and I only like taking them for you :)

PUGH: Good girl. Take a full face pic with those tits

PUGH: I want your face and boobs in the same pic

[MV1]: Erm idk

...

PUGH: I need that booty bouncing on my cock

PUGH: Mmm if your pussy is too tight then we need to train your asshole

PUGH: Mmm I want a video of you shaking it so bad

PUGH: Obey your daddy, imagine me fucking your cute ass

...

PUGH: The more you show off, the more you get rewarded

PUGH: Mmm then flash me real fast. Pull it up and show daddy hehe

...

PUGH: I look back at your pics and listen to that moan

...

PUGH: Goodnight baby. If you rub your pussy, feel free to think of me and maybe even show me

...

PUGH: Now let daddy see that sweet ass

[MV1]: Can I show you thighs instead

PUGH: Baby. Daddy needs this

[MV1]: my ass?

PUGH: Mhm spread

[MV1]: Wait you want me to bend over or

PUGH: Mhm

[MV1]: Alright

PUGH: Good girl

PUGH: Good girl. I was hoping to see your little asshole.

[MV1]: Sorry

...

PUGH: Lift that shirt baby

PUGH: If you can have me cumming I can have this

PUGH: You're 11. Marriage is far away. And how many other older guys have you talked to

PUGH: Ok. Don't let your parents find out about me

[MV1]: Cuz they'll kill me if they saw the text message where I said that u should kidnap me

PUGH: But I love you too much. The risk is worth it

[MV1]: Yeah but theirs a big age gap

PUGH: You can make it up to me tomorrow with that video

...

PUGH: Maybe I can watch you rub yourself sometime

...

PUGH: Mhm. I want to watch you play with yourself

[MV1]: Oh I never sent a video of me doing that before

PUGH: Nope

[MV1]: ?

PUGH: I know you'll do it for me

...

PUGH: Wyd my love

[MV1]: going to bathroom at school

PUGH: Mmm if only you'd send me nudes from the bathroom

...

[MV1]: Can I delete some of the naked pictures I sent you?
I don't like some of them

23. In addition to chat messages, the return included images, videos, and sound recordings sent between the two accounts that were saved by either party.

24. In or around December 2022, PUGH sent MV1 the following message, "Work. Hoping for a good booty shaking video tonight." Several hours later, MV1 sent PUGH a video file 13 seconds in length depicting who is believed to be MV1 standing in a bathroom, facing away from the camera, and not wearing clothes from the waist down. MV1 shakes MV1's buttocks for the duration of the video. The video file is contained in the return from Snapchat.

25. PUGH also sent images, videos, and sound recordings to MV1, including images of male genitalia, sound recordings with a male voice, and videos depicting a male masturbating that were produced by Snapchat in response to the federal search warrant.

26. On or about November 23, 2022, PUGH sent MV1 a video of a male masturbating using his LetsRP3000 Snapchat account. The video file of this video is contained in the account records produced by Snapchat for both PUGH's LetsRP3000 account and MV1's account.

27. Records received from Snapchat contain approximately six additional images and videos of male genitalia sent by PUGH to MV1.

28. Messages between PUGH and MV1 discuss the fact that PUGH sent MV1 videos of himself masturbating:

PUGH: Wyd cutie

[MV1]: watching the video of you jerking off

29. Other messages show that MV1 and PUGH exchanged messages about forced sexual contact and rape. In November 2022, MV1 and PUGH exchanged the below message:

[MV1]: And also you'd go to jail because people will think you raped me

PUGH: Mhm they wouldn't know. You'd be kidnapped

[MV1]: ohh hehe

PUGH: Or I'd pretend to be a counselor who visits you. But then we fuck more.

30. The discussion of kidnapping comes up on several occasions.

For example:

[MV1]: I can't do that my dad will think I'm missing

[MV1]: But yeah you should steal me one day

PUGH: Haha. So steal you forever or just have you go "to a friends house" and fuck

[MV1]: Mhm

PUGH: I could be arrested

PUGH: And like killed if caught

...

[MV1]: So u would come down to New York and kidnap me?

PUGH: Mhm.

31. Additional messages from PUGH to MV1 indicate his knowledge and belief regarding MV1's minor status:

PUGH: I love you. Imagine your 11 year old pussy filled with my cock

[MV1]: But you said I wanted to fuck me when I was 18

PUGH: If I could I'd be fucking you rn

...

PUGH: Mmm 11 year old pussy sounds heavenly

...

PUGH: Mhm I need that 11 year old body

...

[MV1]: You'd still be down to fuck me even though I'm 11?

PUGH: Mhm

[MV1]: o

[MV1]: but that's illegal

PUGH: so?

[MV1]: damn u wanna go to jail?

PUGH: No. But would you tell anyone?

D. Interview of PUGH

32. On August 17, 2023, PUGH was interviewed by agents during the execution of a federal search warrant of PUGH's residence. PUGH was informed he was not under arrest, was read and provided a copy of his *Miranda* rights, verbally agreed to waive his *Miranda* rights, and signed the *Miranda* form provided to him.

33. PUGH confirmed he used Snapchat accounts LetsRP3000 and ImissyouXXXXX (REDACTED) and admitted to communicating with MV1 through messages and images, using Snapchat account LetsRP3000.


34. PUGH admitted that MV1 had told him that she was 11. PUGH also admitted that he asked MV1, “show me your pussy,” and that when he said that, he wanted her to send him a picture of her vagina.

IV. CONCLUSION

35. Based on the above facts, there is probable cause to believe that GARRETT THOMAS PUGH violated 18 U.S.C. § 1470 (transfer of obscene material to minors). It is therefore respectfully requested that this Court issue an arrest warrant for GARRETT THOMAS PUGH.

/s/ Charles J. Moloney III
Charles J. Moloney III
Special Agent
Homeland Security Investigation

Received by reliable electronic means and sworn
and attested to by telephone on this 5th day of October 2023.



HONORABLE JOEL C. HOPPE
UNITED STATES MAGISTRATE JUDGE